

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

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In re:

**Sherwin Maurice Hammond**

S.S. No.: xxx-xx-7118

Mailing Address: 610 Mimosa Street, Durham, NC 27703-

**Case No. 11-81105**

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Debtor.

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**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtor has filed for relief under Chapter 13 of the United States Bankruptcy Code on July 8, 2011.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtor's proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: July 25, 2011

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

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John T. Orcutt

N.C. State Bar No. 10212

Counsel for the Debtor

6616-203 Six Forks Rd.

Raleigh, N.C. 27615

Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)				Date: 6/13/11																																													
				Lastname-SS#: Hammond-7118																																													
<b>RETAIN COLLATERAL &amp; PAY DIRECT OUTSIDE PLAN</b>																																																	
Retain	Creditor Name	Sch D #	Description of Collateral																																														
<b>SURRENDER COLLATERAL</b>																																																	
	Creditor Name	Description of Collateral																																															
<b>REJECTED EXECUTORY CONTRACTS/LEASES</b>																																																	
	Creditor Name	Description of Collateral																																															
<b>ARREARAGE CLAIMS</b>																																																	
Retain	Creditor Name	Sch D #	Arrearage Amount	(See )																																													
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<b>LTD - DOT ON PRINCIPAL RESIDENCE &amp; OTHER LONG TERM DEBTS</b>																																																	
Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral																																										
				N/A	n/a																																												
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				N/A	n/a																																												
				N/A	n/a																																												
<b>STD - SECURED DEBTS @ FMV</b>																																																	
Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral																																										
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				5.00																																													
<b>STD - SECURED DEBTS @ 100%</b>																																																	
Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral																																										
	BB&T		\$18,352	5.00	\$131	\$389.45	2006 Nissan Maxima																																										
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<b>PROPOSED CHAPTER 13 PLAN PAYMENT</b>																																																	
\$ <b>\$497</b> per month for <b>60</b> months, then \$ <b>N/A</b> per month for <b>N/A</b> months.																																																	
Adequate Protection Payment Period: <b>6.42</b> months.																																																	
Sch D # = The number of the secured debt as listed on Schedule D.																																																	
Adequate Protection = Monthly 'Adequate Protection' payment amt.																																																	
† = May include up to 2 post-petition payments.																																																	
* Co-sign protect on all debts so designated on the filed schedules.																																																	
** = Greater of DMI x ACP or EAE (Page 4 of 4)																																																	
Ch13Plan_MD (DeSardi Version 1/12/10) © LOJTO																																																	
Other Miscellaneous Provisions																																																	
Plan to allow for 3 "waivers".																																																	

## **CERTIFICATE OF SERVICE**

I, Charlene Ennemoser, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Charlene Ennemoser

Charlene Ennemoser

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

NC Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

NC Department of Justice  
for NC Department of Revenue  
Post Office Box 629  
Raleigh, NC 27602-0629

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

BB&T\*\*\*  
Bankruptcy Department  
Post Office Box 1847  
Wilson, NC 27894

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

Capital One \*\*  
Bankruptcy Department  
PO BOX 85167  
Richmond, VA 23285

Online Collections  
Post Office Box 1022  
Wixom, MI 48393-1022

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

General Service Corporation  
202 W. Firetower Road  
Winterville, NC 28590

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Goodyear Credit Card Plan \*\*  
Post Office Box 653054  
Dallas, TX 75265-3054

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Internal Revenue Service (MD)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

Internal Revenue Service (ED)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

National Finance  
3808 Guess Road, Ste E  
Durham, NC 27705-1550